IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 17TH JULY 2007 / 26TH ASHADHA 1929

SA.No. 731 of 2001(D)

(AGAINST THE JUDGMENT AND DECREE DATED 03/08/2001 IN A.S. NO.29/2001 OF SUB COURT, HOSDURG AGAINST THE ORDER IN I.A.NO.1248/99 IN O.S.NO.326/98 DTD. 26/03/2001 OF MUNSIFF COURT, HOSDURG TO THE EXTENT IT IS AGAINST THE APPELLANT)

APPELLANT: APPELLANT/3RD PARTY CLAIM PETITIONER:

JAMES JOSEPH, S/O.JOSEPH, AGED 28 YEARS, RESIDING AT KANDATHIL HOUSE, EDATHODU, PARAPPRA P.O., PARAPPA VILLAGE, HOSDURG TALUK, KASARAGOD DISTRICT.

BY ADV. SRI.T.V.GEORGE

RESPONDENTS: RESPONDENTS/PLAINTIFF & DEFENDANT:

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1. **C.J.JOSEPH, S/O.JOHN, AGED 44 YEARS, CHOLIKKARA HOUSE, RESIDING AT KANAKAPPALLY, BALAL VILLAGE, HOSDURG TALUK, KASARAGOD DISTRICT.**

2. **N.C.MATHEW, S/O.CHACKO, AGED 40 YEARS, RESIDING AT NHAVALIKUNNEL, KANAKAPPALLY HOUSE, BALAL VILLAGE, HOSDURG TALUK, KASARAGOD DISTRICT.**

BY ADV. SRI.SURESH KUMAR KODOTH
SRI.M.THAMBAN
SMT. T.SUDHAMANI

THIS SECOND APPEAL HAVING BEEN FINALLY HEARD ON 17/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P.NO.1711/2001 IN S.A.NO.731/2001

DISMISSED

17/07/2007 **SD/- PIUS C. KURIAKOSE, JUDGE**

/TRUE COPY/

KSS

PIUS C. KURIAKOSE,J.

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S.A. No.731 of 2001

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Dated: 17th July, 2007

JUDGMENT

Learned counsel for the appellant submits that the matter is settled out of court. This submission is recorded and the Second Appeal is dismissed as settled out of court.

srd **PIUS C.KURIAKOSE, JUDGE**